



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

November 21, 2008

Ms. Sara Brown, Treasurer
Ohio Republican Party State
Central & Executive Committee
211 S. Fifth Street
Columbus, OH 43215

Response Due Date:
December 22, 2008

Identification Number: C00162339

Reference: Amended August Monthly Report (7/1/08-7/31/08), received 8/19/08

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 8 items:

1. Schedule A supporting Line 17 of your report discloses one or more receipts totaling \$42,369.50 from the "State of Ohio." Please amend your report to clarify the nature of these receipts.
2. Schedule A supporting Lines 15 and 17 of your report discloses a payment(s) from an organization(s) which is not a political committee(s) registered with the Commission (see attached). It appears the receipt(s) was for goods and/or services provided by your committee. Pursuant to Advisory Opinion 1979-18, the sale/purchase price paid to a political committee could involve the receipt of a contribution from a purchaser if the purchase price exceeds the "usual and normal charge". The term "usual and normal charge" for goods is defined as the price of those goods in the market from which they ordinarily would have been purchased at the time of the contribution. Examples of goods and services include equipment, supplies, personnel, advertising services, membership lists, and mailing lists. 11 CFR §100.52(d)(1)

Please clarify whether your committee assessed the usual and normal charge for the goods and/or services you provided and explain the steps your committee took in determining the amount charged. If your

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committee provided the goods and/or services at more than the usual and normal charge, the difference between the two is considered to be an in-kind contribution(s) received by your committee from an unregistered organization(s) and is prohibited subject to the limits set forth at 2 U.S.C. §§441a(f) and 441b or 11 CFR §102.5(b).

3. Schedule A supporting Line 17 of your report discloses a payment(s) from a federal candidate committee(s) for goods and/or services provided by your committee. 11 CFR §100.52(d)(1) states that "...the provision of any goods or services without charge or at a charge which is less than the usual and normal charge for such goods or services is a contribution." Examples of goods and services include equipment, supplies, personnel, membership lists and mailing lists. The term "usual and normal charge" for goods is defined as "...the price of those goods in the market from which they ordinarily would have been purchased at the time of the contribution". The usual and normal charge for services is defined as "...the hourly or piecework charge for the services at a commercially reasonable rate prevailing at the time the services were rendered." 11 CFR §100.52(d)(2)

Please clarify whether your committee assessed the usual and normal charge for the goods and/or services you provided to the federal candidate committee(s) and explain the steps your committee took in determining the amount(s) charged. If your committee provided the goods and/or services at less than the usual and normal charge, the difference between the two is considered to be an in-kind contribution by your committee to the federal candidate committee(s) and is subject to the limits set forth at 2 U.S.C. §441a. (11 CFR §100.52(d)(1))

4. Schedule B supporting Line 30(b) of your report discloses a payment(s) to another political committee(s) for goods and/or services provided by that committee(s). 11 CFR §100.52(d)(1) states that "...the provision of any goods or services without charge or at a charge which is less than the usual and normal charge for such goods or services is a contribution." Examples of goods and services include equipment, supplies, personnel, membership lists and mailing lists. The term "usual and normal charge" for goods is defined as "...the price of those goods in the market from which they ordinarily would have been purchased at the time of the contribution". The usual and normal charge for services is defined as "...the hourly or piecework charge for the services at a commercially reasonable rate prevailing at the time the services were rendered." 11 CFR §100.52(d)(2)

Please clarify whether your committee was assessed the usual and normal charge for the goods and/or services you received and explain the steps the

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political committee(s) took in determining the amount(s) charged to you. If your committee was provided the goods and/or services at less than the usual and normal charge, the difference between the two is considered to be an in-kind contribution by the political committee(s) to your committee and is subject to the limits set forth at 2 U.S.C. §441a. (11 CFR §100.52(d)(1))

5. Schedule H4 supporting Line 21(a) of your report discloses a payment(s) for "payroll/taxes." Please be advised that pursuant to 11 CFR §300.33(c)(2), salaries and wages for employees who spend more than 25% of their compensated time in a given month on Federal election activity (FEA) or activities in connection with a Federal election must not be allocated between or among federal and non-federal accounts. Rather, only federal funds may be used. Further, the Commission concluded in Advisory Opinion 2003-11 that amounts spent for employee-specific "fringe benefits," consisting of health insurance, disability insurance, life insurance, retirement benefits and payroll taxes, fall into the category of compensated time.

Please clarify whether this activity is for employees who spent 25% or less of their time during the month(s) referenced above on FEA or activities in connection with a Federal election. If this is not the case, any reimbursement from your committee's non-federal account for this payment is not permissible and must be returned. Although the Commission may take further legal action regarding any improper allocation activity, your prompt action will be taken into consideration.

6. Schedule H4 supporting Line 21(a) of your report discloses a payment(s) for "communications materials-4587," "picture prints," "poster laminations," "poster laminations-Weiland" and "video/audio equipment-4587." Please be advised that pursuant to 11 CFR §300.33(c)(1), expenditures for public communications (as defined by 11 CFR §100.26) that refer to a clearly identified candidate for Federal office and that promote, support, attack or oppose any such candidate for Federal office must not be allocated between or among federal and non-federal accounts. Only federal funds may be used.

Further, expenditures and disbursements for public communications that refer to a clearly identified candidate for Federal office and that promote, support, attack or oppose any candidate for Federal office, meet the definition of Federal Election Activity under 11 CFR §100.24 and should be disclosed on Schedule B for Line 30(b) along with the identity of the candidate(s). However, public communications that meet the definition of Federal Election Activity and that also contain express advocacy as defined

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under 11 CFR §100.22, but do not meet the conditions of exempt activity, would constitute an in-kind contribution, an independent expenditure or a coordinated party expenditure and should be properly disclosed on a Schedule B, E or F supporting Lines 23, 24 or 25, as appropriate, rather than on Schedule B for Line 30(b). Please amend your report to properly disclose this activity or provide clarifying information.

If this activity was categorized incorrectly, the Commission recommends that you immediately transfer the funds received by your federal account for this activity back to the non-federal account. Although the Commission may take further legal action concerning this prohibited activity, your prompt action will be taken into consideration.

7. On Schedule(s) H4 supporting Line(s) 21(a) of the Detailed Summary Page, you have not included the full name and/or mailing address for the payment made to "Four Points Hotel." Please amend your report accordingly.

8. Schedule H4 of your report discloses memo entries totaling \$5,218.59 which appear to be the original vendors for activity paid with a credit card. However, there are no such payments made to credit card companies. Thus, these "memo" entries do not appear to correspond with any itemized transaction(s). Please be advised, a memo entry is used to disclose additional information about an itemized transaction and the amount of a memo entry is not included in the total receipts or disbursements for the report. Please amend your report to provide clarifying information regarding these disbursements.

-Your report disclosed certain categories of financial activity that have been reflected on the wrong lines of the Detailed Summary Page. Contributions from other political committees, such as transfers from candidates, and refunds made to individuals for offsets to operating expenditures should be properly disclosed on a separate Schedule(s) A, supporting Line 11(c) and Schedule B supporting Line 28(a), respectively, of the Detailed Summary Page. Please refer to the instructions for each line when determining the proper categorization(s) for your next filing.

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to

taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1157.

Sincerely,



Laura E. Sinram
Senior Campaign Finance Analyst
Reports Analysis Division

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**SCHEDULE A (FEC Form 3X)
ITEMIZED RECEIPTS**Use separate schedule(s)
for each category of the
Detailed Summary PageFOR LINE NUMBER: **PAGE 54 / 193**
(check only one)

<input type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input type="checkbox"/> 11c	<input type="checkbox"/> 12
<input type="checkbox"/> 13	<input type="checkbox"/> 14	<input checked="" type="checkbox"/> 15	<input type="checkbox"/> 16
<input type="checkbox"/> 17			

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)
OHIO REPUBLICAN PARTY STATE CENTRAL & EXECUTIVE COMMITTEE

A.	Full Name (Last, First, Middle Initial) Ms. Joanne Natis Mailing Address 8320 Equestrian Court City Mentor State OH Zip Code 44060 FEC ID number of contributing federal political committee. C Name of Employer _____ Occupation Homemaker Receipt For: Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) <input type="checkbox"/> Aggregate Year-to-Date 1124.65	Date of Receipt 07 30 2008 Transaction ID: SA15.79064 Amount of Each Receipt this Period 1024.65 deposit for convention hotel room
B.	Full Name (Last, First, Middle Initial) OH Federation of Republican Women Mailing Address 211 S. 5th Street City Columbus State OH Zip Code 43215 FEC ID number of contributing federal political committee. C Name of Employer _____ Occupation _____ Receipt For: Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) <input type="checkbox"/> Aggregate Year-to-Date 4269.47	Date of Receipt 07 18 2008 Transaction ID: SA15.78550 Amount of Each Receipt this Period 446.20 OFRW payroll/taxes
C.	Full Name (Last, First, Middle Initial) OH Federation of Republican Women Mailing Address 211 S. 5th Street City Columbus State OH Zip Code 43215 FEC ID number of contributing federal political committee. C Name of Employer _____ Occupation _____ Receipt For: Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) <input type="checkbox"/> Aggregate Year-to-Date 5415.67	Date of Receipt 07 18 2008 Transaction ID: SA15.78551 Amount of Each Receipt this Period 446.20 OFRW payroll/taxes
SUBTOTAL of Receipts This Page (optional)		1917.05
TOTAL This Period (last page this line number only)		

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FEC Schedule A (Form 3X) (Revised 02/2005)

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**SCHEDULE A (FEC Form 3X)
ITEMIZED RECEIPTS**Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER: PAGE 66 / 190

(check only one)

<input type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input type="checkbox"/> 11c	<input type="checkbox"/> 12
<input type="checkbox"/> 13	<input type="checkbox"/> 14	<input type="checkbox"/> 15	<input checked="" type="checkbox"/> 16

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NAME OF COMMITTEE (In Full)

OHIO REPUBLICAN PARTY STATE CENTRAL & EXECUTIVE COMMITTEE

A.

Full Name (Last, First, Middle Initial)

DAILEY FOR CONGRESS

Mailing Address 13126 MILLER RD

City

MOUNT VERNON

State

OH

Zip Code

43050

FEC ID number of contributing
federal political committee.

C C00435198

Name of Employer

Occupation

Receipt For:

Primary

General

Other (specify) ▼

Aggregate Year-to-Date ▼

300.94

Date of Receipt

M Y D M D Y V V V Y
07 16 2008

Transaction ID: SA17.78547

Amount of Each Receipt this Period

132.48

office space rent/phones

B.

Full Name (Last, First, Middle Initial)

OH Federation of Republican Women

Mailing Address 211 S. 5th Street

City

Columbus

State

OH

Zip Code

43215

FEC ID number of contributing
federal political committee.

C

Name of Employer

Occupation

Receipt For:

Primary

General

Other (specify) ▼

Aggregate Year-to-Date ▼

4523.27

Date of Receipt

M Y D M D Y V V V Y
07 16 2008

Transaction ID: SA17.78545

Amount of Each Receipt this Period

207.48

office space rent/phones

C.

Full Name (Last, First, Middle Initial)

State Of Ohio

Mailing Address Auditor of State

City

Columbus

State

OH

Zip Code

43218-1140

FEC ID number of contributing
federal political committee.

C

Name of Employer
State Of Ohio

Occupation

Receipt For:

2008

Primary

General

X Other (specify) ▼

Other

Aggregate Year-to-Date ▼

88828.51

Date of Receipt

M Y D M D Y V V V Y
07 16 2008

Transaction ID: SA17.78751

Amount of Each Receipt this Period

42369.50

15-Jul-08

SUBTOTAL of Receipts This Page (optional)

42709.46

TOTAL This Period (last page this line number only)

FEB04028

FEC Schedule A (Form 3X) (Revised 02/2003)

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[REDACTED]